

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Brian M. Fendly U.S. Patent No.: 7,371,376 Issued: May 13, 2008 For: ANTI-ErbB2 ANTIBODIES	Confirmation No: 5667 CUSTOMER NO: 09157 Electronically filed on August 11, 2008
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REQUEST FOR CERTIFICATE OF CORRECTION UNDER 37 CFR 1.322

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is a Certificate of Correction for the above-referenced patent.

Please remove the following sentence from the Cover Page under (*) Notice:


[This patent is subject to terminal disclaimer.]

Attached please find a copy of a decision on petition mailed on January 4, 2007. This decision states that the request to withdraw a previously filed Terminal Disclaimer was granted. Because the mistake occurred in the printing of the patent, it is not believed that any fee is required. However, if this is not the case, the Commissioner is hereby authorized to charge the required fee to Deposit Account No. 07-0630. Acceptance of this Certificate of Correction is respectfully requested.

Respectfully submitted,
GENENTECH, INC.

Date: August 11, 2008

By:


Atulya R. Agarwal
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OFFICE OF PETITIONS

In re Application of :
Brian M. Fendly :
Application No. 09/705,579 : **ON PETITION**
Filed: 2 November, 2000 :
Atty Docket No. P1053R1D1 :

This is a decision on the petition filed on 28 September, 2006 which requests under 37 C.F.R. §1.182 that a previously filed terminal disclaimer be withdrawn. The petition fee has been received.

The petition is granted.

Petitioner asserts that the Terminal Disclaimer filed on 8 March, 2004, does not apply to any claim currently of record.

As the examiner has concurred, the request can be favorably considered.

This application is being referred to Technology Center Art Unit 1643 for further processing consistent with this decision.

Telephone inquiries relative to this decision should be directed to the undersigned at (571) 272-3231.

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 7,371,376

DATED : May 13, 2008

INVENTOR(S) : Brian M. Fendly

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Please remove the following sentence from the Cover Page under
(*) Notice:

[This patent is subject to terminal disclaimer.]

MAILING ADDRESS OF SENDER:

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PATENT NO. 7,371,376

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